

AMENDMENTS TO THE CLAIMS:

1. (Currently amended) A data transmission system ~~using at for a~~ cellular phones,
~~which provides phone, said system comprising:~~

 a video data encoder that encodes inputted video ~~data,~~ data;

 an audio data encoder that encodes inputted audio ~~data,~~ data;

a video data storage unit that stores the encoded video data; ~~outputted from said video data encoder,~~

an audio data storage unit that stores the encoded audio data; ~~outputted from said audio data encoder, and~~

 a multiplexer that multiplexes ~~smoothed~~ video data outputted from said video data storage unit and ~~smoothed~~ audio data outputted from said audio data storage, ~~and transmits multiplexed video and audio data, comprising:~~ storage unit;

a multiplexing controller; and

~~an audio signal detector which audio signals of said inputted audio data and an audio input switch signal are inputted to; and~~

~~— a multiplexing controller, wherein:~~

an said audio signal detector that measures the audio levels level of said the inputted audio signals data and generates a data write control signal for controlling to control said video data encoder and said audio data encoder, and also generates an audio detected signal for controlling to control said multiplexing controller; and controller,

wherein said multiplexing controller generates is responsive to the audio detected

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signal to generate a data read control signal for controlling said video data storage unit and said audio data storage unit, and ~~also generates to generate~~ a data multiplexing control signal for controlling said multiplexer so as to cause said multiplexer to output a selected one of the video data, the audio data, and the multiplexed video and audio data.

2. (Currently amended) A data transmission system ~~using at for a cellular phones phone~~ in accordance with claim 1, wherein:

said audio signal detector measures changes ~~of said in the~~ audio ~~levels level~~ of said the inputted audio signals in data with the passage of time.

3. (Currently amended) A data transmission system ~~using at for a cellular phones phone~~ in accordance with claim 2, wherein:

said audio signal detector judges whether said ~~the audio levels exceeded level exceeds~~ predetermined one or more predetermined levels or not.

4. (Currently amended) A data transmission system ~~using at for a cellular phones phone~~ in accordance with claim 3, wherein:

said audio signal detector measures one or more time periods that said during which ~~the audio levels exceeded said level exceeds the~~ predetermined one or more levels.

5. (Currently amended) A data transmission system ~~using at for a cellular phones phone~~ in accordance with claim 1, wherein:

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said audio signal detector is adapted to receive an audio input switch signal, and said audio signal detector and said multiplexing controller ~~work~~ are responsive to absence of the audio input switch signal to transmit only ~~said the~~ inputted video data, regardless of ~~said the~~ audio ~~levels-level~~ of ~~said the~~ inputted audio signals, ~~at the case that said audio input switch signal is OFF signal.~~

6. (Currently amended) A data transmission system ~~using at for a cellular phones-phone~~ in accordance with claim 1, wherein:

said audio signal detector and said multiplexing ~~controller, at the case that said~~ controller are responsive to presence of an audio input switch signal is ON, work to control ~~said the~~ encoded video data and a transmission bit rate of ~~said the~~ encoded audio data ~~in plural cases whether said when the audio levels-level of said the~~ inputted audio signals ~~exceeded-signal exceeds~~ one or more predetermined levels ~~and continued~~ for one or more predetermined periods.

7. (New) A data transmission system for a cellular phone in accordance with claim 1, wherein said video data storage unit smoothes the encoded video data, and the audio data storage unit smoothes the encoded audio data.

8. (New) A data transmission system for a cellular phone in accordance with claim 1, wherein:

said audio signal detector judges whether the audio level exceeds one or more

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predetermined levels or not.

9. (New) A data transmission system for a cellular phone in accordance with claim 8, wherein:

said audio signal detector measures one or more time periods during which the audio level exceeds the predetermined one or more levels.

10. (New) A data transmission system for a cellular phone in accordance with claim 5, wherein:

said audio signal detector and said multiplexing controller are responsive to presence of the audio input switch signal to control the encoded video data and a transmission bit rate of the encoded audio data when the audio level of the inputted audio signal exceeds one or more predetermined levels for one or more predetermined periods.

11. (New) A data transmission system for a cellular phone, said system comprising:

- means for encoding inputted video data;
- means for encoding inputted audio data;
- means for storing the encoded video data;
- means for storing the encoded audio data;
- means for multiplexing video data outputted from said video data storage unit and audio data outputted from said audio data storage unit;
- means for measuring the audio level of the inputted audio data and generating a data write control signal to control said video data encoding means and said audio data encoding

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means, and for generating an audio detected signal indicative of the measured audio level;
and

means responsive to the audio detected signal for generating a data read control signal for controlling storing of the video data and the audio data, and for generating a data multiplexing control signal for controlling said multiplexing means so as to cause said multiplexing means to output a selected one of the video data, the audio data, and the multiplexed video and audio data.

12. (New) A data transmission method for a cellular phone, said method comprising:
encoding inputted video data;
encoding inputted audio data;
storing the encoded video data;
storing the encoded audio data;
multiplexing the stored video data and the stored audio data;
measuring the audio level of the inputted audio data;
generating a data write control signal to control encoding of the inputted video data and the inputted audio data;
generating an audio detected signal indicative of the measured audio level; and
in response to the audio detected signal, controlling multiplexing of the stored video data and the stored audio data, generating a data read control signal for controlling storing of the encoded video data and the encoded audio data, and generating a data multiplexing control signal for controlling outputting of a selected one of the video data, the audio data,

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and the multiplexed video and audio data.